FILED

JUL 10 2008

CLERK, U.S. DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

UNITED STATES DISTRICT COURT

SOUTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA, Plaintiff, v. ANTONIO RODOLFO SOTO-DIAZ (1), ARMANDO FRANCO-BARBA (2), Defendants.	Criminal Case No. 08CR2276-H I N F O R M A T I O N Title 8, U.S.C., Sec. 1324(a)(2)(B)(iii) - Bringing in Illegal Aliens Without Presentation (Felony); Title 18, U.S.C., Sec. 2 - Aiding and Abetting; Title 8, U.S.C., Sec. 1325 - Illegal Entry (Misdemeanor); Title 8, U.S.C., Sec. 1325 - Illegal Entry (Felony)

The United States Attorney charges:

Count 1

On or about June 25, 2008, within the Southern District of California, defendant ANTONIO RODOLFO SOTO-DIAZ, with the intent to violate the immigration laws of the United States, knowing and in reckless disregard of the fact that an alien, namely, Armando Franco-Barba, had not received prior official authorization to come to, enter and reside in the United States, did bring to the United States said alien and upon arrival did not bring and present said alien immediately to an appropriate immigration officer at a designated port of entry; in violation of Title 8, United States Code, Section 1324(a)(2)(B)(iii) and Title 18, United States Code, Section 2.

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MIP:psd:San Diego
7/3/08

Count 2

On or about October 2, 2004, within the Southern District of California, defendant ARMANDO FRANCO-BARBA, being an alien, unlawfully entered or attempted to enter the United States at a time and place other than as designated by immigration officers, and eluded examination and inspection by immigration officers, and attempted to enter or obtained entry to the United States by a willfully false or misleading representation or the willful concealment of a material fact; in violation of Title 8, United States Code, Section 1325, a misdemeanor.

Count 3

On or about June 25, 2008, within the Southern District of California, defendant ARMANDO FRANCO-BARBA, being an alien, unlawfully entered or attempted to enter the United States at a time and place other than as designated by immigration officers, and eluded examination and inspection by immigration officers, and attempted to enter or obtained entry to the United States by a willfully false or misleading representation or the willful concealment of a material fact and previously committed the offense of illegal entry, as alleged in Count 2; all in violation of Title 8, United States Code, Section 1325, a felony.

DATED: 7/10/08.

KAREN P. HEWITT
United States Attorney

for

MICHELLE M. PETTIT
Assistant U.S. Attorney

MIP:psd:San Diego
7/3/08